

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PABLO JESUS PONCE,

Plaintiff,

v.

BILL LANE, *et al.*,

Defendants.

Case No. 2:21-cv-00028-JDP (PC)

FINDINGS AND RECOMMENDATIONS
THAT THIS ACTION BE DISMISSED FOR
FAILURE TO PAY THE FILING FEE AND
FAILURE TO COMPLY WITH COURT
ORDERS

OBJECTIONS DUE WITHIN FOURTEEN
DAYS

On April 9, 2021, I ordered plaintiff to submit, within thirty days, either the \$402 filing fee or an application to proceed *in forma pauperis*. ECF No. 8. Plaintiff failed to comply with that order. Accordingly, on June 28, 2021, plaintiff was ordered to show cause, within twenty-one days, why this action should not be dismissed for failure to pay the filing fee or file a completed application to proceed *in forma pauperis*. ECF No. 9. He was warned that failure to respond to that order would constitute another failure to comply with a court order and would result in a recommendation that this action be dismissed.¹ *Id.*

¹ Although it appears from the file that plaintiff's copy of the June 28, 2021 order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

1 The deadline has passed, and plaintiff has not paid the filing fee or filed an application to
2 proceed *in forma pauperis*. Accordingly, it is hereby ORDERED that the Clerk of Court shall
3 randomly assign a United States District Judge to this case.

4 Further, it is RECOMMENDED that:

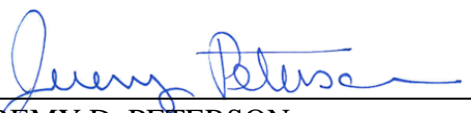
5 1. This action be dismissed for failure to pay the filing fee and failure to comply with
6 court orders.

7 2. The Clerk of Court be directed to close the case.

8 These findings and recommendations are submitted to the United States District Judge
9 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
10 after being served with these findings and recommendations, any party may file written
11 objections with the court and serve a copy on all parties. Such a document should be captioned
12 “Objections to Magistrate Judge’s Findings and Recommendations.” Any response to the
13 objections shall be served and filed within fourteen days after service of the objections. The
14 parties are advised that failure to file objections within the specified time may waive the right to
15 appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
16 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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18 IT IS SO ORDERED.

19 Dated: August 13, 2021

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21 JEREMY D. PETERSON
22 UNITED STATES MAGISTRATE JUDGE
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